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15 **IN THE UNITED STATES DISTRICT COURT**
16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

17 U.S. EQUAL EMPLOYMENT
18 OPPORTUNITY COMMISSION,

19 Plaintiff,

20 AYESHA FAIZ,

21 Plaintiff-Intervenor,

22 v.

23 FIDELITY HOME ENERGY, INC., a
24 California corporation; BRADLEY SMITH, an
25 individual; and DOES 1-49,

26 Defendants.
27
28

Case No. 19-cv-01231-JSW

**NOTICE OF PENDENCY OF OTHER
ACTION OR PROCEEDING**

Pursuant to Local Rule 3-13, Plaintiff-Intervenor Ayesha Faiz submits this Notice of Pendency of Other Action or Proceeding to provide formal notice of the following action: *Faiz v. Fidelity Home Energy, Inc., a California corporation; and Does 1-50*, Case No. RG17884669, filed December 4, 2017 in the Superior Court of the State of California, County of Alameda.

The complaint in that action alleges claims concerning Wrongful Constructive Termination in Violation of Public Policy; Wrongful Demotion in Violation of Public Policy; Failure to Pay Earned Wages in Violation of Cal. Labor Code Section 201 et seq.; Retaliation in Violation of Labor Code Section 1102.5; and Negligent Supervision. Upon motion, on June 18, 2019, this Court asserted supplemental jurisdiction over those claims, Docket No. 24, and those claims are now before this Court. Docket No. 26. Accordingly, on July 29, 2019, without law and motion by the parties, Judge Stephen Pulido of the Superior Court of California, County of Alameda, ordered the Superior Court case dismissed without prejudice. A true and correct copy of Judge Stephen Pulido's Order is attached hereto as Exhibit A.

Dated: August 26, 2019

Respectfully submitted,

Marisa Díaz
Christopher Ho
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By: /s/ Marisa Diaz
MARISA DÍAZ
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Ayesha Faiz